

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

## **COMPLAINT FOR DAMAGES**

Plaintiff, Karen S. Peed, by counsel, and for her Complaint for Damages against the Defendant, the United States of America, states as follows:

1. This action is brought pursuant to the Federal Tort Claims Act, 28 U.S.C. § 1346 and 28 U.S.C. §§ 2671-2680. This Court is vested with jurisdiction pursuant to 28 U.S.C. § 1346(b).
2. Venue is proper in this district pursuant to 28 U.S.C. § 1391(e), as the United States of America is a Defendant and the events or omissions giving rise to the claim occurred in this district.
3. Before commencement of this action and pursuant to 28 U.S.C. § 2675, Plaintiff served a notice of Federal Total Claim on or about April 30, 2019. A copy of which is attached hereto as Exhibit “A”.
4. In this Complaint, whenever the term “Defendant” is used, it means the Defendant, the United States of America, its officers, agents, servants, employees, and/or representatives. Whenever in this Complaint it is alleged that the Defendant did any act or thing or failed to do any act or thing, it is meant that the Defendant, the United States of America, its

officers, agents, servants, employees, and/or representatives did or failed to do such act or thing, and that at the time such act or thing was done or failed to be done, it was with the full authorization and ratification of the Defendant and was in the normal and routine course and scope of employment of the Defendant's officers, agents, servants, employees, and/or representatives.

5. On February 23, 2018 at approximately 12:54 p.m. Plaintiff was driving her vehicle traveling north on 25<sup>th</sup> Street near the intersection of Schaal Avenue in Terre Haute, Vigo County, Indiana.

6. On that same date and at the same time and location another vehicle being driven by Mark E. Holaday, while in the course and scope of his employment with the United States Postal Service, was traveling west waiting to turn left out of the alley exit at the United States Postal Service office located at 70 Rose Avenue, in Terre Haute, Vigo County, Indiana.

7. Mark Holaday failed to yield the right of way to Plaintiff, and carelessly and negligently struck the passenger side rear of Plaintiff's vehicle.

8. As a direct, proximate result of the negligence of the Defendant and the ensuing collision as described above, the Plaintiff, Karen S. Peed, suffered injuries to her body including, pain in her right knee and lower back pain. She has incurred medical expenses, and endured pain, suffering and emotional distress all of which will continue in the future. The pain from her injuries has been debilitating at times and has interfered with her ability to perform daily activities.

WHEREFORE, the Plaintiff, Karen S. Peed, respectfully requests a judgment in an amount which will fully and fairly compensate her for her injuries and damages, for the costs of this action, and for all other just and proper relief.

Respectfully Submitted,

YOUNG & YOUNG

s/ James H. Young

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